

**BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD  
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

PUCEL ENTERPRISES, INC.  
Petitioner,

CONSOLIDATED

v.

GRIZZLY INDUSTRIAL, INC.  
Respondent/Registrant

Opposition No. 91123,506	Mark: GRIZZLY.COM
Cancellation No. 31,984	Mark: GRIZZLY
Cancellation No. 32,024	Mark: GRIZZLY
Cancellation No. 32,025	Mark: GRIZZLY INDUSTRIAL

**AGREED MOTION TO SET REMAINING TESTIMONY AND TRIAL BRIEF DATES**

The parties hereby request that the Board set the dates for the remaining testimony period and briefing schedule as follows:

THE PERIOD FOR DISCOVERY TO CLOSE:      CLOSED

Testimony period for party in position of plaintiff to close (opening thirty days prior thereto)      CLOSED

Testimony period for party in position of defendant to close (opening thirty days prior thereto)      CLOSED

Rebuttal testimony period to close (opening fifteen days prior thereto)      October 30, 2006

Petitioner's Trial Brief Due      December 29, 2006

Respondent's Trial Brief Due      January 28, 2007



09-29-2006

U.S. Patent & TMO's/TM Mail Rpt Dt. #30

The grounds for this motion are that when the parties last agreed to extend the close of respondent's testimony period, the parties inadvertently omitted extending the remaining dates. The parties agreed to these dates by the undersigned attorney's e-mail of September 21, 2006, and petitioner's attorney's e-mail of September 26, 2006. It is requested that the Board confirm these dates so that they are of record.

Petitioner's attorney, Ken Mitchell, agreed to this motion in an e-mail to the undersigned on September 26, 2006.

For the foregoing reasons, this motion should be granted.

Date: September 27, 2006

Respectfully submitted,

By:   
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Grizzly Industrial, Inc.

**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, postage prepaid in an envelope addressed to: Box ~~TFAB~~ NO FEE, Commissioner for Trademarks, P.O. Box 1451, Alexandria, Virginia 22313-1451 on September 27, 2006.

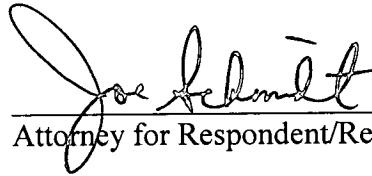
  
Arlette Porter

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing AGREED MOTION  
TO SET REMAINING TESTIMONY AND TRIAL BRIEF was served on  
Opposer/Petitioner via e-mail, facsimile and first class mail, postage prepaid, in an  
envelope addressed to:

Kenneth L. Mitchell  
Woodling, Krost and Rust  
Kirtland Office Complex  
9213 Chillicothe Road  
Kirtland, Ohio 44094  
866-241-4043 (facsimile)  
clevepat@aol.com (e-mail)

on September 27, 2006

A handwritten signature in cursive script, appearing to read "Joe Schmidt", is written over a horizontal line.

Attorney for Respondent/Registrant